

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

ATUL MINOCHA,

Petitioner,

v.

AUTO COMPANY XXV, INC.,

Respondent.

Case No. 3:22-MS-00006-CLB

ORDER TO SERVE RESPONDENT

[ECF No. 2]

Pending before the Court is Petitioner Atul Minocha's ("Minocha") motion to enforce subpoena, (ECF No. 2), filed in connection with a lawsuit currently pending in the United States District Court for the Northern District of California (*Atul Minocha v. Mercedes-Benz USA, LLC*, Case No. 3:21-cv-06868-JSC).

Pursuant to Fed. R. Civ. P. 45(d)(2)(B)(i), the party serving a subpoena issued under Rule 45 "on notice to the commanded person, ... may move the court for the district where compliance is required for an order compelling production or inspection." (emphasis added). It does not appear that notice was provided to the respondent in this matter, as no certificate of service was provided to the Court. The Court will not grant an order to compel *ex parte*, thus Minocha must serve the petition on respondent and provide proof of service within **30 days** of this order or the action will be dismissed.

IT IS SO ORDERED.

DATE: October 13, 2022.


UNITED STATES MAGISTRATE JUDGE